

E-FILED - 6/25/08

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 HOLOGIC, INC., CYTIC CORPORATION and) CASE NO.: C08-0133 RMW (RS)
12 HOLOGIC L.P.,)
13 Plaintiffs,) **[PROPOSED] ORDER GRANTING**
14 v.) **PLAINTIFFS' ADMINISTRATIVE**
15 SENORX, INC.,) **MOTION TO FILE UNDER SEAL**
16 Defendant.) **EXHIBIT 1 TO THE DECLARATION**
) **OF HENRY C. SU IN SUPPORT OF**
) **PLAINTIFFS' OPPOSITION TO**
) **DEFENDANT'S OBJECTIONS AND**
) **MOTION TO STRIKE DOCTRINE OF**
) **EQUIVALENTS ARGUMENT**

1 The Court, having considered Plaintiffs' Administrative Motion [Docket No. 178] to File
2 Under Seal Exhibit 1 to the Declaration of Henry C. Su in Support of Plaintiffs' Opposition to
3 Defendant's Objections and Motion to Strike Doctrine of Equivalents Argument, and the
4 Declaration of Natalie J. Morgan in partial support thereof, finds that good cause exists pursuant
5 to Civil Local Rule 79-5 and hereby orders that the Motion is GRANTED.

6 The clerk shall maintain under seal Exhibit 1 to the Declaration of Henry C. Su in
7 Support of Plaintiffs' Opposition to Defendant's Objections and Motion to Strike Doctrine of
8 Equivalents Argument.

9 It is SO ORDERED

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11 Dated: 6/25, 2008

12 By:


Honorable Ronald M. Whyte
United States District Court Judge

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1 **CERTIFICATE OF SERVICE**

2 U.S. District Court, Northern District of California,
 Hologic, Inc. et al. v. SenoRx, Inc.
 Case No. C-08-0133 RMW (RS)

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 4 I, Kirsten Blue, declare:

5 I am and was at the time of the service mentioned in this declaration, employed in the
 County of San Diego, California. I am over the age of 18 years and not a party to the within
 6 action. My business address is 12235 El Camino Real, Ste. 200, San Diego, CA, 92130.

7 On June 24, 2008, I served a copy(ies) of the following document(s):

8 **[PROPOSED] ORDER GRANTING PLAINTIFFS' ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL EXHIBIT 1 TO THE DECLARATION OF
 HENRY C. SU IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
 DEFENDANT'S OBJECTIONS AND MOTION TO STRIKE DOCTRINE OF
 EQUIVALENTS ARGUMENT**

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 10 on the parties to this action by the following means:

11	Henry C. Su (suh@howrey.com) Katharine L. Altemus (altemusk@howrey.com) HOWREY LLP 1950 University Avenue, 4th Floor East Palo Alto, CA 94303 Telephone: (650) 798-3500 Facsimile: (650) 798-3600	12 Attorneys for Plaintiffs HOLOGIC, INC. CYTYC CORPORATION and HOLOGIC LP
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14	Matthew Wolf (wolfm@howrey.com) Marc Cohn (cohn@howrey.com) HOWREY LLP 1229 Pennsylvania Avenue, NW Washington, DC 20004 Telephone: (202) 783-0800 Facsimile: (202) 383-6610	15 Attorneys for Plaintiffs HOLOGIC, INC. CYTYC CORPORATION and HOLOGIC LP
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- 20 (BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the
 ordinary business practices of Wilson Sonsini Goodrich & Rosati, 12235 El Camino Real,
 Ste. 200, San Diego, CA. I am readily familiar with WSGR's practice for collecting and
 processing of correspondence for mailing with the United States Postal Service, said
 practice being that, in the ordinary course of business, correspondence with postage fully
 prepaid is deposited with the United States Postal Service the same day as it is placed for
 collection.
- 21 (BY ELECTRONIC MAIL) I caused such document(s) to be sent via electronic mail
 (email) to the above listed names and email addresses.
- 22 (BY PERSONAL SERVICE) I caused to be delivered by hand to the addressee(s) noted
 above. I delivered to an authorized courier or driver to be delivered on the same date. A
 proof of service signed by the authorized courier will be filed with the court upon
 request.
- 23 (BY OVERNIGHT DELIVERY) I placed the sealed envelope(s) or package(s), to the
 addressee(s) noted above, designated by the express service carrier for collection and
 overnight delivery by following the ordinary business practices of Wilson Sonsini

1 Goodrich & Rosati, 12235 El Camino Real, Ste. 200, San Diego, CA. I am readily
2 familiar with WSGR's practice for collecting and processing of correspondence for
3 overnight delivery, said practice being that, in the ordinary course of business,
4 correspondence for overnight delivery is deposited with delivery fees paid or provided for
5 at the carrier's express service offices for next-day delivery the same day as the
6 correspondence is placed for collection.

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- (BY FACSIMILE) I caused to be transmitted by facsimile machine (number of sending facsimile machine is (858) 350-2399 at the time stated on the attached transmission report(s) by sending the documents(s) to (see above). The facsimile transmission(s) was/were reported as complete and without error.
 - (BY CM/ECF) I caused such document(s) to be sent via electronic mail through the Case Management/Electronic Case File system with the U.S. District Court for the Northern District of California.

I declare under penalty of perjury under the laws of the United States that the above is true and correct, and that this declaration was executed on June 24, 2008.



Kirsten Blue